

Origins of the NSA Personnel System [June 11](#)

When NSA was established, its civilian personnel had the same status in the Civil Service system as all civilian government employees. In 1952, a presidential directive stood up NSA as an agency within the Department of Defense. There was no enabling legislation that created NSA, so by default NSA came under the jurisdiction of the Civil Service Commission.

Being in the Civil Service structure created several problems for the Agency. NSA had to classify and grade its jobs in accordance with the federal occupational structure. Yet 75 percent of the jobs at the Agency did not exist on the official federal list. For instance, there was no category for cryptanalyst. Many people were classified as clerks or merely as “professionals,” even though their actual work required a high level of skill. This designation prevented them from reaching the higher federal pay grades. As a result, NSA had serious recruitment and retention problems, especially for technical talent.

There was no easy solution because, under the Civil Service Commission, NSA could not freely change job titles and descriptions. There were other problems. For security reasons, NSA also could not comply with Commission requirements and regulations in statutes to provide personnel numbers, financial and management data and functions, and activities of the Agency.

After lengthy discussion within the Department of Defense and the National Security Council, President Dwight Eisenhower chose the legislative route to solve this dilemma, i.e., to push for a law that would make the changes that could not be achieved administratively. Eisenhower had been a reader of SIGINT reports since World War II, and one of his concerns as president was development and retention of a professional SIGINT workforce that would produce the intelligence he and other senior officials depended on.

On May 29, 1959, Congress passed Public Law (PL) 86-36, which provided an effective career system for NSA personnel by establishing the necessary administrative authorities. It exempted NSA from complying with laws that related to the classification and grading of civilian positions, and it authorized the secretary of defense or his designee to establish positions and appoint officials in

NSA. The power to fix compensation rates for personnel at the same rate found in other government schedules was also granted to the secretary of defense or his designee. PL 86-36 offered greater protection to NSA by establishing the policy against public availability of information about Agency activities.

PL 86-36 helped NSA retain technical talent because it gave the Agency permission to establish research and development positions for technical personnel who could be paid at grades 16, 17, and 18, then the federal service's "supergrades." One disadvantage of this law was that there were limits on the number of positions NSA could have at each of these levels. This problem was corrected in PL 91-187, which Congress passed in December 1969. This law enabled the secretary of defense, "based upon the demonstrated needs of NSA, to increase the number of scientific and professional supergrades within the agency in response to program changes and priorities."

Although PL 86-36 had allowed NSA to create its own system of job titles and pay grades and had exempted the Agency from reporting information, NSA employees were still in the Civil Service system. The status of NSA employees changed because two NSA employees, Martin and Mitchell, defected to the Soviet Union in June 1960. After a lengthy investigation, Congress passed PL 88-290 in March 1964, which, for security reasons, gave NSA employees a special excepted status. According to this law, "no person shall be employed or continued in employment by NSA unless such employment is clearly consistent with the national security." This law gave NSA officials the power to quickly terminate employees who violate security rules.

With the passage of these three laws, the U. S. Congress recognized the importance of NSA in maintaining the security of our nation. Creating a personnel structure specific to NSA jobs and granting authority for personnel to reach the supergrade levels were crucial steps in developing and maintaining a professional workforce.